

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 09-1025

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Nancy Mader, Personal Representative of the Estate of Robert Mader,

Plaintiff - Appellant

v.

United States of America,

Defendant - Appellee

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Appeal from U.S. District Court for the District of Nebraska - Omaha  
(8:08-cv-00119-LSC)

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**JUDGMENT**

This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued en banc by counsel.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court.

September 07, 2011

Order Entered in Accordance with Opinion:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans